

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:13-cv-00215-MR
(CRIMINAL CASE NO. 1:09-cr-00030-MR-1)**

BRADLEY BRYANT SLAYTON,)
)
Petitioner,)
)
vs.)
)
UNITED STATES OF AMERICA,)
)
Respondent.)
_____)

30-DAY ORDER

THIS MATTER is before the Court on Petitioner's Motion to Vacate, Set Aside or Correct Sentence under 28 U.S.C. § 2255 [Doc. 1]. Petitioner is represented by attorney Derrick R. Bailey.

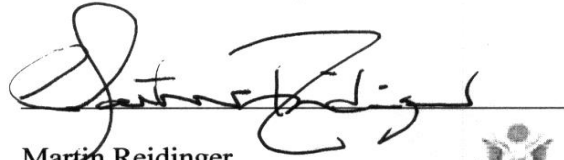
In his motion, Petitioner alleges that he is entitled to relief in light of the Fourth Circuit's en banc decision in United States v. Simmons, 649 F.3d 237 (4th Cir. 2011), because the under the predicate offense used to convict him under 18 U.S.C. § 922(g)(1) no longer qualifies as a felony.

The Court determines that the United States Attorney shall file a response to Petitioner's allegations. The Court will direct that the United States file an Answer or other responsive pleading within thirty (30) days.

IT IS, THEREFORE, ORDERED that no later than thirty (30) days, the United States Attorney shall file an Answer or other responsive pleading to Petitioner's Motion to Vacate.

IT IS SO ORDERED.

Signed: May 29, 2014


Martin Reidinger
United States District Judge

